

Regular Meeting
Minutes for April 18, 2005

A Meeting of the Mayor and Council of the Borough of Leonia, Bergen County, New Jersey, was held this evening in the Borough Hall Annex, commencing at 7:30pm

Council Present: Mayor Laurence Cherchi, Councilwoman Dwarica,
Councilwoman Heveran, Councilman LaBianco,
Councilwoman Mitrani, , Council President Ryan,

Council Absent: Councilman Puzzo

Also Present: Fran Lehmann, Borough Clerk, David Russo, Borough Attorney
Myna Becker, Acting Borough Administrator,

Mayor Laurence Cherchi called the meeting to order.

Mayor Laurence Cherchi asked everyone to stand while Council President Ryan led in the Pledge of Allegiance.

OPEN MEETING STATEMENT

Conditions of the Open Meeting Act have been met by Notice placed on the Bulletin Board at Borough Hall and notices sent to the Official Newspaper.

Councilwoman Heveran asked for a moment of silence for Mrs. Patricia Moran, mother of Fire Marshall Rob Moran former Chief of Leonia Fire Department, who passed away.

PRESENTATION

Planning Board – Tom Toronto – 173 Sylvan Avenue, Planning Board Chairman, there are several ordinances that need to be updated. Zoning needs to be done also. The most significant part of the Master Plan that needs to be addressed is the Central Business District. The ordinances need to be addressed to have the ability for enforcement. Design standards need to be reviewed and put into ordinance form. The Planning Board, in addressing the Central Business District, has not codified those recommendations through ordinances. They are currently being addressed through policy. With each change of use or change of control, we have been able to make steps for continuity. We have been able to have signs removed that are not being utilized. Air conditioners are being screened. Mayor Cherchi pointed out that the Council has appropriated the funds for Burgis to codify those design standards for the downtown. And to implement the suggested zoning changes that are made in the Master Plan and have not been approved by the Council. Councilman Ryan questioned the ability of the Planning Board to implement changes without the ordinances being in place. Mr. Toronto answered that the design standards are pretty extensive and detailed and have had universal compliance over the last year. Councilman La Bianco questioned the mural along the Leonia Market, how does it fit in

47 with the Downtown Plan, our codification of colors, without passing judgment on it one
48 way or the other it seems like it is something painted on a building with paint chipping all
49 around it, on a building that needs to be painted. Can this happen in other places, have we
50 voted on it? Mayor Cherchi spoke to the artist that a permit was necessary for subsequent
51 artistic endeavors. We have decided that this constitutes a sign in our broad definition of
52 a signs.

53
54 **Board of Adjustment** Mr. Jim Bach 309 Westview Avenue - Brought up the issue of
55 "Flag Lots" presently there are two flag lots before the Board. Without getting into the
56 specifics many municipalities prohibit the development or have ordinances on how the
57 flag lots are to be treated. Leonia does not have an ordinance to guide us. Having some
58 input from the Council would be beneficial for the Board. Mr. Toronto can take this issue
59 to the planner and see what ordinances can be suggested. Councilwoman Mitrani asked if
60 Mr. Bach was in favor of flag lots. Mr. Bach stated he was not in favor of flag lots they
61 are problematic, with shared driveways and there is a public safety issue with them as
62 well. Emergency services will have a difficult time accessing the lots. Councilman Ryan
63 asked if they were covered under frontage for any given area and uses for any given area.
64 Flag lots need multiple variances. Another issue is providing utilities. Mayor Cherchi
65 asked if he had seen Ordinances that could be passed on to the Planning Board. There is a
66 model zoning ordinance for the State of New Jersey it places limitations on development
67 of these lots. Mr. Bach asked the status of the Cell Tower, Mayor stated the issue was on
68 the agenda for discussion tonight.

69
70 Arthur Marshall 137 Glenwood Avenue spoke regarding cell towers on the Recreation
71 Center.

72
73 Frank Patti 241 Broad Avenue Shade Tree commission is not taking care of the trees that
74 are being planted. Instead of planting trees, they should maintain the ones that have been
75 planted. The town should look into ways for the town to obtain low interest loans from
76 the banks that we deposit funds into so they can be spruce up older homes in town.
77 Southern section Broad Avenue the town needs to encourage sidewalk repair. Apartment
78 and Condo complexes should be forced to use their property for parking

79
80 Jeff McCartney 201 Oratam Terrace there is a new home going in near the pool and drill
81 hall neither of which were notified. Mayor Cherchi said that when the Board sees this
82 coming before the Board then the members of the Board could tell other boards that may
83 be affected.

84
85 **OPEN PUBLIC SESSION**

86
87 John Dunn Deputy Fire Chief 205 Fairview Avenue, Bogota, Mr. Dunn spoke regarding
88 the new Rescue Truck. Mr. Dunn reported that they had the support from the Capital
89 Budget Committee but the Mayor wanted to hire an expert to come here to tell the Leonia
90 Fire Department what equipment should be on the truck, this is a waste of time we are the
91 experts. We put our lives on the line. We research the equipment that is needed.

93 The expert he is suggesting builds fire trucks and rescue trucks.

94
95 Joyce Chang 136 Schor Avenue asked for a no parking sign with the alternate side
96 parking only one side of the street is cleaned. Mayor Cherchi asked Acting
97 Administrator to review this with the Chief of Police. There is a white van parked there
98 for several months with a flat tire it has not moved.

99
100 Jane Tappen 124 Vreeland asked about pot hole repairs. There are many roads in town
101 with pot holes. There is one at the entrance of the Library.

102
103 Susan Boyd 112 Prospect Street asked the Council to do a resolution repealing S1701.

104
105 Councilwoman Dwarica made a motion to have the Ambulance Corps speak seconded by
106 Councilwoman Mitrani. All in favor none opposed.

107
108 Jim Tappen and Lisa Haenelt spoke to the Council. They are requested that the EMT
109 Traffic Officer be put back in the budget. The officer was covering half of the calls.
110 Officer Oxnard is on the desk most of the time. With him on the desk, we have missed 50
111 calls. We have spoken with the police department and the Borough Administrator and
112 unfortunately, it is not working. Back in 1999 when this was set up half of the money
113 came from Ambulance Corps budget and half from Police Department budget. For six
114 years the system worked very well. The Borough Administrator tried to solve the
115 problem by hiring an EMT on a per diem basis. While we have an EMT we still don't
116 have someone to drive the ambulance. Sgt. Carlson was sent for training and now he is
117 on vacation.

118 119 **APPROVAL OF MINUTES**

120
121 Special Work Session/ Regular Meeting April 11, 2005

122 A motion was made by Councilwoman Dwarica Seconded by Council President Ryan to
123 approve the minutes of April 11, 2005 Roll Call vote all in favor none opposed.

124
125 Closed Session "A" April 11, 2005 held until next meeting

126
127 Closed Session "B" April 11, 2005 Councilwoman Mitrani seconded by
128 Councilwoman Dwarica, Roll call vote all in favor none opposed.

129 130 **STANDING COMMITTEES**

131
132 Finance Administration & Personnel will be discussed in unfinished business

133
134 Police –Case was made for a new DVD system in the cars. Councilman Ryan will
135 present it to the Capital Budget Commission for consideration.

136
137 Fire – 32 calls in April to date there have been 113 calls. Fire Department applications
138 are being updated finger prints and backgrounds checks will be done. An old school bus

was used for a drill on extrication. In May there will be a company drill regarding ground ladders and rescue operations this will be taught by instructors from the FDNY. A mutual aid drill was held on Sunday April 3.

John O'Toole turned 80 yesterday.

Deputy Chief Dunn reported that fingerprints are done at no charge by the State Police. Mr. Russo will review the legality of the background checks and fingerprints and report at the next meeting

Public Works –There is a game plan for the potholes. Councilwoman Heveran reported on a large pothole in the Elm Street Lot.

Real Estate and Insurance – no report

Acting Borough Administrator –

Reported on the fee for plants for the downtown.

Special Bodies to the Borough

Councilwoman Heveran brought up that no liaison was appointed to the Senior Citizens.

Councilwoman Mitrani reported on Merchants Association is going to solicit memberships and are working on a brochure.

Mayor received the Tree City Award again this year

COMMENTS FROM PUBLIC

None

RESOLUTIONS

A request from the Leonia Woman's Club would like to put a sandwich board on the triangle to announce their garage sale.

Councilman LaBianco pulled Resolution 05-111. Councilman LaBianco questioned the approval of a Temporary Budget when we have not passed a regular budget. Mayor Cherchi explained that this authorization was needed to pay salaries through June. Councilman LaBianco questioned various line items in the resolution. CFO Becker said there is no difference in this Temporary Budget than ones that were approved in previous years. Mayor Cherchi suggested that it be held until the budget is discussed. Councilman LaBianco questioned the \$3,500 in the budget for a part-time EMT. CFO Becker said that is up for discussion this evening. Councilman LaBianco feels that this process will short circuit the budget that we will pass 20% of the budget without discussion.

A motion was made by Councilwoman Dwarica seconded by Council President Ryan to approve Resolutions 05-110 and 05-112 through 116. Roll call vote Councilpersons Dwarica, Heveran, Mitrani and Ryan voted yes. Councilman LaBianco voted no; Resolutions approved.

185 **APPOINTMENTS**

186 A motion was made to appoint Councilwoman Heveran as Senior Liaison by
187 Councilwoman Dwarica, seconded by Council President Ryan all in favor none opposed.
188 Motion carried.

189 Mayor Cherchi asked for a motion to appoint Jeff Mc Cartney to the Planning Board to
190 fill the vacancy left by Lynn Ballerini and Barbara Marchant to fill his alternate position.

191
192 A motion was made by Councilwoman Mitrani seconded by Councilwoman Dwarica to
193 appoint Jeff McCartney to the Planning Board and Barbara Marchant to fill his alternate
194 position. All Council in favor none opposed. Motion carried.

195
196 **UNFINISHED BUSINESS**

197
198 2005 Municipal Budget – CFO Myrna Becker explained where the budget stood and the
199 Council discussed various areas where the budget could be cut. All Departments have
200 been requested to cut another \$2,000 from their budgets.

201
202 Vote on Resolution 05-111- A motion was made Councilwoman Dwarica to approve
203 Resolution 05-111 seconded by Council President Ryan. Roll Call Vote, Councilperson
204 Dwarica, Mitrani and Ryan voted yes, Councilpersons Heveran and LaBianco voted no.
205 Resolution not adopted (4 votes required)

206
207 **COMMENTS FROM THE PUBLIC**

208
209 No one spoke.

210
211 **CLOSED SESSION (RESOLUTION J)**

212
213 A motion was made by Councilperson Dwarica seconded by Council President Ryan to
214 go into Closed Session. All in favor none opposed.

215
216
217
218 Respectfully submitted,

219
220
221 Fran Lehmann
222 Borough Clerk
223